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Attorneys for Plaintiff Augme Technologies, Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

AUGME TECHNOLOGIES, INC., a
 Delaware corporation,
 Plaintiff,
 vs.

YAHOO!, INC., a Delaware
 Corporation,
 Defendant.

Case No.: 3:09-CV-05386-JCS

**STIPULATION AND ~~PROPOSED~~ ORDER
 ENLARGING TIME FOR OPPOSITION AND
 REPLY TO YAHOO, INC.'S MOTION FOR
 SUMMARY JUDGMENT (L.R. 6.2)**

Honorable Magistrate Judge Joseph C. Spero

Plaintiff Augme Technologies, Inc. ("Augme") and defendant Yahoo!, Inc. ("Yahoo!") (collectively, the "Parties") through this Stipulation hereby jointly stipulate, pursuant to Local Rule 6.2, to enlarge the time for the opposition and reply to Yahoo's motion for summary judgment of non-infringement based on divided/joint infringement, subject to the terms of this Stipulation.

WHEREAS, on November 12, 2010, Yahoo! filed its Motion for Summary Judgment of Non-infringement Based on Divided/Joint Infringement ("Motion for Summary Judgment");

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1 WHEREAS, on November 22, 2010, Yahoo! filed its Administrative Motion to Extend
2 the Case Management Schedule in This Case Pursuant to Civil L.R. 16-2(D) and 7-11
3 (“Administrative Motion”);

4 WHEREAS, on November 24, 2010, Augme filed its Opposition to Yahoo!’s
5 Administrative Motion and Cross Motion to Extend the Hearing Date for Yahoo!’s Motion for
6 Summary Judgment (“Cross Motion”);

7 WHEREAS, Augme’s Opposition to Yahoo’s Motion for Summary Judgment is due
8 forthwith and may have to be filed before the Court rules on Augme’s Cross Motion;

9 WHEREAS, previously, the parties jointly requested two one-week extensions of the
10 deadline for exchanging Preliminary Claim Constructions, and a three-week extension of the
11 deadline for filing the Joint Claim Construction and Pre-Hearing Statement;

12 WHEREAS, this stipulation will have no effect upon the hearing date or the pending
13 Administrative Motion or Cross Motion;

14 NOW THEREFORE, the Parties hereby stipulate, through their undersigned counsel,
15 subject to the Court’s approval, that:

- 16 1. The deadline for the filing of Augme’s Opposition to Yahoo!’s Motion
17 for Summary Judgment shall be extended to December 1, 2010.
- 18 2. The deadline for the filing of Yahoo!’s Reply in support of its Motion for
19 Summary Judgment shall be extended to December 10, 2010.

Dated: November 29, 2010

MORRISON & FOERSTER LLP

By: /s/ Daniel P. Muino
Daniel P. Muino

Attorneys for Defendant
YAHOO! INC.

Dated: November 29, 2010

SHAUB & WILLIAMS LLP

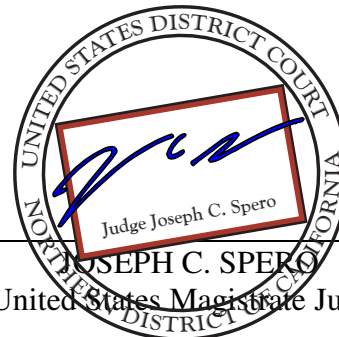
By: /s/ David R. Shaub
David R. Shaub

Attorneys for Plaintiff
AUGME TECHNOLOGIES, INC.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: November 30, 2010



JOSEPH C. SPERO
United States Magistrate Judge

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